

HOUSE BILL REPORT

ESSB 5732

As Passed House - Amended:

April 15, 2005

Title: An act relating to the powers, duties, and membership of the state board of education and the Washington professional educator standards board and the elimination of the academic achievement and accountability commission.

Brief Description: Revising the powers, duties, and membership of the state board of education and the Washington professional educator standards board and eliminating the academic achievement and accountability commission.

Sponsors: By Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators McAuliffe, Weinstein, Schmidt, Berkey, Rockefeller, Shin, Prentice, Thibaudeau, Pridemore, Carrell, Kohl-Welles, Regala, Spanel, Fairley, Delvin and Rasmussen).

Brief History:

Committee Activity:

Education: 3/21/05, 3/30/05 [DPA];

Appropriations: 4/2/05 [DPA(APP w/o ED)s].

Floor Activity:

Passed House - Amended: 4/15/05, 86-11.

Senate Refused to Concur.

Passed House - Amended: 4/20/05, 77-19

Brief Summary of Engrossed Substitute Bill (As Amended by House)

- Abolishing the Academic Achievement and Accountability Commission on July 1, 2006, and transferring its duties to the State Board of Education.
- Reconstituting the State Board of Education and moving educator certification and preparation from the State Board of Education to the Professional Educator Standards Board.
- Creating a joint legislative subcommittee to study additional governance issues and report back by December 15, 2005.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended. Signed by 6 members: Representatives Quall, Chair; Talcott, Ranking Minority Member; Hunter, McDermott, Santos and Tom.

Minority Report: Do not pass. Signed by 5 members: Representatives P. Sullivan, Vice Chair; Anderson, Assistant Ranking Minority Member; Curtis, Haigh and Shabro.

Staff: Susan Morrissey (786-7111).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education. Signed by 21 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Buri, Clements, Cody, Conway, Darneille, Dunshee, Grant, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, McIntire, Miloscia, Priest, Schual-Berke, Talcott and Walsh.

Minority Report: Do not pass. Signed by 7 members: Representatives Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Bailey, Haigh, Hinkle and Pearson.

Staff: Denise Graham (786-7137).

Background:

State Board of Education

The State Board of Education (SBE) is composed of one member of each Congressional district elected by local school boards of directors, the Superintendent of Public Instruction (SPI), and one at-large member elected by school boards of directors of all private schools in the state. Each member, except the SPI, serves for four years. The SPI is the Chief Executive Officer and is an ex officio, non-voting member, except in instances of a tie vote. The SBE is responsible for, among other policy areas, the preparation and certification of teachers, administrators, and educational staff associates; the funding distribution for state matching funds for school construction; the establishment of state minimum high school graduation requirements; school accreditation; private school approval; school district boundaries; and monitoring school district compliance with the Basic Education Act.

Professional Educator Standards Board

The Professional Educator Standards Board (PESB), which was created in 2000, is composed of the SPI and 20 members appointed by the Governor. It includes four public school teachers, one private school teacher, three individuals who represent higher education educator preparation programs, four school administrators, two educational staff associates, one public school instructional paraprofessional, one parent, and one citizen. The SPI is an ex officio, non-voting member. The PESB serves as the sole advisory body to the SBE on issues related but limited to the recruitment, hiring, preparation and certification of teachers,

administrators, and educational staff associates. The PESB is responsible for overseeing alternative routes to certification and teacher basic skills and subject matter assessments.

Academic Achievement and Accountability Commission

The Academic Achievement and Accountability Commission (A+ Commission), which was created in 1999, is composed of the SPI and eight members appointed by the Governor. Four of the members are appointed from lists recommended by each major caucus of the Senate and the House of Representatives. The chair of the commission is appointed by the Governor from among the commission members. The A+ Commission oversees the state's K-12 accountability system and is responsible for adopting and revising performance improvement goals in reading, writing, mathematics, and science as well as setting school and school district improvement goals for high school graduation rates and dropout reduction; setting academic achievement standards students must achieve on the Washington Assessment of Student Learning (WASL) and, for high school students, to acquire a Certificate of Academic Achievement (CAA); adopting criteria to identify successful schools and school districts as well as to identify schools and school districts in need of assistance and those in which significant numbers of students persistently fail to meet state academic standards; and identifying performance incentives that have improved or have the potential to improve student achievement.

Summary of Amended Bill:

State Board of Education

On January 1, 2006, the State Board of Education is reconstituted with sixteen members. The members include seven members representing the educational system, seven members appointed by the governor, and two students. The seven members representing the education system include the Superintendent of Public Instruction, five members elected by school directors and one member elected by the members of the school boards of private schools. With the exception of the students, all members of the state board are voting members. Of the seven members elected by school directors, three will be from western Washington and two will be from eastern Washington. The board may elect a chair who may serve for a two year term. The chair is limited to a maximum of two consecutive two year terms.

With the exception of duties for educator and administrator preparation and certification, the SBE will retain its present duties. In addition, it will assume the duties of the Academic Achievement and Accountability Commission. The duties include the adoption of performance standards (i.e., cut scores), in consultation with the SPI; performance improvement goals for schools, school districts, and groups of students; and performance standards for the CAA. The improvement goals will focus on improving student learning in reading, writing, mathematics, science, academic, and technical skills in secondary career and technical education programs, student attendance and high school graduation. The performance standards must be adopted by rule by the SBE. The SBE must present to the education committees of the Legislature the standards for review, allowing the Legislature time to take any action deemed necessary for each goal that is implemented. The performance

improvement goals must not conflict with the goals included in Title I of the Elementary and Secondary Education Act of 1965, as amended. The SBE must provide the Legislature an opportunity to review and to take any statutory action on the performance standards to attain a CAA before the standards are implemented. The SPI may vote on all issues before the SBE.

Professional Educator Standards Board

On January 1, 2006, all statutory authority previously held by the SBE for educator and administrator preparation and certification is transferred to the PESB. The PESB will adopt policies and practices for teacher and educational staff associates preparation and certification. The certification responsibilities include approval of traditional and nontraditional preparation programs, preparation of a list of approved preparation programs, supervision of the issuance of educator certificates, and a review at least every five years of program approval standards. The PESB will specify the types and kinds of educator certificates, hear certification appeals, adopt rules, apply for federal funds, and submit annual reports to agencies and legislative committees. The PESB will also maintain data on educator certification, the quality of preparation programs, and employer needs. All members, including the SPI, are voting members.

Academic Achievement and Accountability Commission

The Academic Achievement and Accountability Commission is abolished and its powers, duties, and functions are transferred to the SBE on July 1, 2006. Staff is not transferred.

Education Governance Joint Legislative Subcommittee

A joint subcommittee of the House Education and Senate Early Learning, K-12, and Higher Education Committees is created examine the remaining duties of the State Board of Education and make recommendations for their disposition. By December 15, 2005, the Task Force will report its recommendations to the legislative education committees and other interested parties.

Study by the Professional Educator Standards Board

The PESB will analyze the strengths and weaknesses of the state's certification and preparation system and use its analysis to develop a planning document that will guide the board's assumption of rule making for educator and administrator preparation and certification. By December 1, 2005, the board will transmit its findings and recommendations to the legislative committees on education, SPI, SBE, and the governor.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect June 30, 2005.

Testimony For: (Education) (In support) The Legislature has studied governance for years. This legislation addresses the issues that have been raised in those studies. It gives balance to the SBE while honoring the value and role of local school boards. By adding board members

appointed by the Governor, the legislation ensures that additional important perspectives are considered by the SBE, including those of early learning and higher education. It also provides an avenue for other voices to be at the table, including those of business and the high tech industry. The PESB has proven that it is ready and able to assume responsibility for educator certification and preparation. The authority granted it in this legislation would give educators the same kind of licensing board available to dozens of other professions. The A+ Commission was never intended to be a long-term agency so it is time to eliminate it. It is also time to give the SPI a vote on both the SBE and the PESB. The legislation will help eliminate overlapping responsibilities at the state level.

(With concerns) The PESB should retain an advisory role in educator certification and preparation. The private school member should be permitted to vote on all matters before the board. The SBE's regulatory responsibilities should be assigned to the SPI. The Legislature should go slow and study the appropriate structure for accomplishing the rest of the governance duties as well

Testimony For: (Appropriations) None.

Testimony Against: (Education) The SBE, created in 1877, is one of the oldest institutions in the state. It has been reconstituted four times. Since schools belong to the people, its composition and member selection process ensure that board members represent and are responsive to the people in their congressional districts. The present composition of the SBE ensures geographic representation and a connection between local school boards and the SBE. The proposed legislation will reduce the role of the people in selecting board members. While some combination of school director selected and Governor selected members is acceptable, any new members should be added to those currently selected by school boards. The SBE should retain responsibility for educator preparation and certification, with advice from the PESB. A strong accountability system is needed in this state. The legislation does not move the state in that direction. The Legislature should have a clear picture of the problems that it is trying to solve and the way any new structure will address those problems before it changes the governance structure.

Testimony Against: (Appropriations) None.

Persons Testifying: (Education) (In support) Senator McAuliffe, prime sponsor; Judy Hartmann, Governor's Policy Office; Susan Mielke, Washington Roundtable; Jennifer Wallace, Professional Educator Standards Board; Gary King, Washington Education Association; and Tom Parker.

(With concerns) Wes Pruitt, Workforce Training and Education Coordinating Board; Don Rash, Association of Washington School Principals, and Lee Schmit, Academic Achievement and Accountability Commission.

(Opposed) Warren Smith, Sr. and Carolyn Tolas, State Board of Education; Robert Butts, Office of the Superintendent of Public Instruction; Barbara Mertens, Washington Association of School Administrators; and Dan Steele, Washington State School Directors' Association.

Persons Testifying: (Appropriations) None.

Persons Signed In To Testify But Not Testifying: (Education) None.

Persons Signed In To Testify But Not Testifying: (Appropriations) None.